



DOCKET NO. 1293.1066D2C4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Jung-wan KO

Serial No. 10/631,830

Group Art Unit: 2653

Confirmation No. 1723

Filed: August 1, 2003

Examiner: Thang V. TRAN

For: RECORDING MEDIUM FOR STORING DEFECT MANAGEMENT INFORMATION FOR
RECORDING REAL TIME DATA, DEFECT MANAGING METHOD THEREFOR, AND
REAL TIME DATA RECORDING METHOD

**LETTER TO THE EXAMINER REQUESTING CONSIDERATION OF TIMELY FILED
INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Further to a review a message from the Examiner of March 1, 2005, it appears that the file for the instant application does not include a copy of the PTO Form 1449 filed with the Information Disclosure Statement of October 20, 2004. As such, please find enclosed a copy of the Information Disclosure Statement with PTO Form 1449 along with evidence of prior receipt. It is respectfully requested that the Examiner confirm consideration of the Information Disclosure Statement.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

Respectfully submitted,

STEIN, MCEWEN & BUI LLP

By:

James G. McEwen
Registration No. 41,983

1400 Eye Street, NW, Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Date: March 1, 2005



Attorney Docket No. 1293.1066D2C4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Jung wan KO

Application No.: 10/631,830

Group Art Unit: 3765

Filed: August 1, 2003

Examiner:

For: RECORDING MEDIUM FOR STORING DEFECT MANAGEMENT INFORMATION FOR
RECORDING REAL TIME DATA, DEFECT MANAGING METHOD THEREFOR, AND
REAL TIME DATA RECORDING METHOD

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Form PTO-1449.
- 1b. ☒ Copy(ies) of IDS citation(s), except for U.S. Patents and U.S. Patent Application publications for applications filed on or after June 30, 2003.
- 1c. ☒ Japanese Office Action.
- 1d. ☒ English language translation (Abstract Only) attached to each non-English language publication.
- 1e. ☐ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of each non-English publication.
- 1f. ☐ List of Copending Applications (ATTACHMENT 1(f), hereto).
- 1g. ☐ List of Additional Submitted Documents (ATTACHMENT 1(g), hereto).

2. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(b):

(Check either Item 2a or 2b or 2c or 2d)

- 2a. ☐ Within three months of the filing date of a national application;
- 2b. ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.
- 2c. ☐ Before the mailing of a first Office Action on the merits; or
- 2d. ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.

3. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(c) after the period specified in paragraph 2 above but before the mailing date of any of a Final Office Action under § 1.113, a Notice of Allowance under § 1.311 or an action that otherwise closes prosecution in the application, AND

(Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)

- 3a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; OR
3b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
☐ enclosed.
☐ to be charged to Deposit Account No. 19-3935.

4. ☒ This Information Disclosure Statement is filed under 37 CFR §1.97(d) after the period specified in paragraph 3 above, but on or before payment of the Issue Fee, AND

- 4a. ☒ The § 1.97(e) Statement in Item 5 below is applicable; AND
4b. ☒ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
☒ enclosed.
☐ to be charged to Deposit Account No. 19-3935.

5. ☒ Statement under § 1.97(e) *(applicable if Item 3a or Item 4 is checked)*
(Check either Item 5a or 5b)

- 5a. ☒ In accordance with 37 CFR §1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
5b. ☒ In accordance with 37 CFR §1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

6. ☐ This is a continuation/divisional/continuation-in-part application under 37 CFR § 1.53(b).

(Check appropriate Items 6a and/or 6b)

- 6a. ☐ Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No. ___, filed on ___, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, have been omitted pursuant to 37 CFR § 1.98(d).
6b. ☐ Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No. ___, filed on ___, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, are provided herewith.

7. ☐ This is a Request for Continued Examination under 37 CFR § 1.114.
(Check either Item 7a or 7b)
- 7a. ☐ The Issue Fee has not been paid.
- 7b. ☐ A Petition to Withdraw from issue under 37 CFR §1.313(c) is filed concurrently herewith or has been granted. A continuation application under 37 CFR § 1.53(d) or Request for Continued Examination under 37 CFR 1.114, after payment of the Issue Fee is proper in accordance with 37 CFR § 1.53(d)(1)(ii) or 37 CFR 1.114(a), respectively.
8. ☐ This is a Supplemental Information Disclosure Statement.
(Check either Item 8a or 8b)
- 8a. ☐ This Supplemental Information Disclosure Statement under 37 CFR § 1.97(f) supplements the Information Disclosure Statement filed on _____. A bona fide attempt was made to comply with 37 CFR § 1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on _____.
- 8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR § 1.97 and 1.98, mailed _____. (MPEP 609 C(1), Form & 6.49, Rev. 1, Feb. 2000, pp. 600-107)
9. ☒ In accordance with 37 CFR § 1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
(Check appropriate Items 9a, 9b, 9c and/or 9d)
- 9a. ☐ satisfied for the non-English language publication(s) cited on the enclosed "English language version of the search report or action which indicates the degree of relevance found by the foreign office". (See MPEP § 609, Minimum Requirements for an Information Disclosure Statement, Part A(3): Concise Explanation of Relevance, 8th Ed., Rev. 2)
- 9b. ☐ set forth in the application.
- 9c. ☒ satisfied because an English language translation (Abstract Only) is attached to each non-English language publication.
- 9d. ☐ enclosed as Attachment 1(e), hereto.
10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).

11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR § 1.17 for this Information Disclosure Statement and/or Petition to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: 10/20/04
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Suite 700
Washington, D.C. 20005
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By: 

Stephen T. Boughner
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Sheet 1 of 1

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 1293.1066D2C4	APPLICATION NO. 10/631,830
LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)		FIRST NAMED INVENTOR Jung-wan KO	
		FILING DATE August 1, 2003	GROUP ART UNIT 3765

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	AA	2003-91938	Japan			Abstract	
	AB	2000-3562	Japan			Abstract	
	AC	4-28061	Japan			Abstract	

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

			TRANSLATION YES NO	
	BA	Japanese Office Action for Japanese Divisional Patent Application No. 2002-199228 dated July 20, 2004 (related to the present application)		X

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	



BEST AVAILABLE COPY

Please Date Stamp and return

INFORMATION DISCLOSURE STATEMENT ALONG WITH PTO-1449 FORM, (3) REFERENCES (NO FEES ENCLOSED)

APPLICANT(S): Jung-wan KO

SERIAL NO: 10/631,830

CONFIRMATION NO. 1716

TITLE: RECORDING MEDIUM FOR STORING DEFECT MANAGEMENT INFORMATION FOR RECORDING REAL TIME DATA, DEFECT MANAGING METHOD THEREFOR, AND REAL TIME DATA RECORDING METHOD

FILING DATE: August 1, 2003

DOCKET NO: 1293.1066D2C4/STB:lep

DUE DATE: October 20, 2004

Please Date Stamp and return

INFORMATION DISCLOSURE STATEMENT ALONG WITH PTO-1449 FORM, (3) REFERENCES ~~(NO FEES ENCLOSED)~~ *w/c \$180.00*

APPLICANT(S): Jung-wan KO

SERIAL NO: 10/631,830

CONFIRMATION NO. 1716

TITLE: RECORDING MEDIUM FOR STORING DEFECT MANAGEMENT INFORMATION FOR RECORDING REAL TIME DATA, DEFECT MANAGING METHOD THEREFOR, AND REAL TIME DATA RECORDING METHOD

FILING DATE: August 1, 2003

DOCKET NO: 1293.1066D2C4/STB:lep

DUE DATE: October 20, 2004



(57)